

CHAPTER 12 CAPITOL INTEREST DISTRICT

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1200 PREAMBLE

- 1200.1** The Capitol Interest (CAP) District is established to promote and protect the public health, safety and general welfare of the U.S. Capitol precinct and the area adjacent to this jurisdiction, in a manner consistent with the goals and mandates of the United States Congress as set forth in the Act, Master Plan for Future Development of Capitol Grounds and Related Areas (Public Law 94-59, July 25, 1975; 89 Stat. 288) and in accordance with the plan submitted to the Congress in accordance with the Act.
- 1200.2** The land use controls embodied in the Zoning Regulations for the land adjacent to the U.S. Capitol should reflect the importance of the area to the District of Columbia and the nation.
- 1200.3** The Capitol Interest (CAP) District, controlling land use as well as height and bulk, shall provide sufficient controls for the areas south of the U.S. Capitol and the historic residential district to the east of the U.S. Capitol.
- 1200.4** The Capitol Interest (CAP) District is intended to provide particular controls adjacent to properties having an obvious and well-recognized general public interest.
- 1200.5** The Capitol Interest (CAP) District shall act to further restrict some of the permitted uses now allowed in the existing districts now applicable in the area to reduce the possibility of harming the site, district or building to be protected.
- 1200.6** The list of permitted uses contained in this chapter shall include only those uses which would have very limited external impacts.
- 1200.7** The Capitol Interest (CAP) District shall provide for more control of the height and bulk allowed in existing districts now applicable in the area.
- 1200.8** The Capitol Interest (CAP) District shall be mapped in combination with any district mapped at such location and shall not be in lieu of any district mapped at that location.
- 1200.9** All uses, buildings and structures permitted in accordance with the appropriate sections of this title for the district with which the mapped CAP District is

combined shall be permitted in those combined districts, except as specifically modified by this chapter.

- 1200.10** All restrictions and prohibitions provided with respect to either of the districts combined pursuant to this chapter shall also apply in the Capitol Interest (CAP) District.

1201 USE REGULATIONS

- 1201.1** Except as provided in chapters 20 through 25 of this title, in the Capitol Interest District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended, or designed to be used except for one (1) or more of the uses listed in §§1201.2 through 1201.4.

- 1201.2** The following uses shall be permitted as a matter-of-right:

- (a) In the **CAP/R-4** District, any use permitted as a matter-of-right in the R-4 District;
- (b) In the CAP/R-5-B District, any use permitted as a matter-of-right in the R-5-B District;
- (c) In the CAP/SP District, any use permitted as a matter-of-right in the SP District, except that an antenna tower for television and radio broadcasting and in conjunction therewith the erection, alteration, or use of buildings for transmission or reception equipment shall not be permitted; and
- (d) In the CAP/C-2-A and CAP/C-M-I Districts, any use permitted as a matter-of-right in the C-2-A District, except that the following uses shall not be permitted:
 - (1) Gasoline service station as an accessory use to a parking garage or public storage garage;
 - (2) Parking lot, parking garage or public storage garage;
 - (3) Antenna tower for television and radio broadcasting, and in conjunction therewith the erection, alteration or use of buildings for transmission or reception equipment;
 - (4) Antenna tower in conjunction with radio or television broadcasting studio;
 - (5) Automobile laundry;
 - (6) Automobile rental agency;

- (7) Installation of automobile accessories;
- (8) Automobile or truck sales;
- (9) Boat or other marine sales;
- (10) Drive-in restaurant;
- (11) Parcel delivery service; and
- (12) Electric substation or natural gas regulator station.

1201.3 'The following uses shall be permitted if approved by the Board of Zoning Adjustment subject in accordance with the conditions specified in §3108 and in this section in each case:

- (a) In the CAP/R-4 and CAP/R-5-B Districts, any use permitted as a special exception in those districts, respectively, except that the following uses shall not be permitted:
 - (1) Parking lot; Provided, that a parking lot in existence on the effective date of this section may continue subject to the special exception provisions of the underlying zone;
 - (2) Telephone exchange;
 - (3) Public utility pumping station; and
 - (4) Storage of wares and goods on an alley lot.
- (b) In the CAP/SP District, any use permitted as a special exception in the SP District, except that the following uses shall not be permitted:
 - (1) Parking lot or parking garage;
 - (2) Telephone exchange; and
 - (3) Public utility pumping station.
- (c) In the CAP/C-2-A District, any use permitted as a special exception in the C-2-A District, except that the following uses shall not be permitted:
 - (1) Gasoline service station; Provided, that a gasoline service station existing on the effective date of this section may be remodeled, repaired or replaced subject to the special exception provisions of the underlying zone;
 - (2) Motorcycle sales and repairs; and
 - (3) Public utility pumping station

1201.4 Accessory uses and accessory buildings customarily incidental to the uses otherwise authorized by this section shall be permitted.

1202 SPECIAL EXCEPTIONS

1202.1 In an application for a special exception in any CAP District, the Board of Zoning Adjustment shall consider whether the proposed development complies with the following factors:

- (a) Is compatible with the present and proposed development of the neighborhood;
- (b) Is consistent with the goals and mandates of the United States Congress set forth in the Master Plan for Future Development of the Capitol Grounds and Related Areas (Public Law 94-59, July 25, 1975, 89 Stat. 288, 289); and
- (c) Is in accordance with the plan promulgated under the Act.

1202.2 Upon receipt of the application, the Board shall submit the application to the Director of the Office of Planning for coordination, review, report and impact assessment along with reviews in writing of all relevant District departments and agencies including the Departments of Public Works, Housing and Community Development and, if a historic district or historic landmark is involved, of the State Historic Preservation Officer.

1202.3 Upon receipt of the application, the Board shall submit the application to the Architect of the Capitol for review and report.

1202.4 The Board may require special treatment and impose reasonable conditions as it shall deem necessary to mitigate any adverse impacts identified in the consideration of the application.

1203 HEIGHT, AREA AND BULK REGULATIONS

1203.1 Except as specified in the following paragraphs of this section and in chapters 20 through 25 of this title, the height of buildings or structures in the Capitol Interest District shall not exceed forty feet (40 ft.) or three (3) stories in height.

1203.2 The height of buildings or structures as specified in §1203.1 may be exceeded in the following instances:

- (a) A spire, tower, dome, minaret, pinnacle or penthouse over elevator shaft may be erected to a height in excess of that authorized in §1203.1; and

If erected or enlarged as provided in §411, housing for mechanical equipment or a stairway or elevator penthouse may be erected to a height in excess of that authorized in the District in which located; Provided, that the housing is set back from all lot lines of the lot upon which the structure is located a distance equal to its height above the roof of the top story. In any case, a roof structure shall not exceed ten feet (10 ft.) in height above the roof upon which it is located.

1203.3 Except as specified in chapters 20 through 25 of this title, the maximum permitted floor area ratio of a building or structure in the Capitol Interest District shall not exceed one and eight-tenths (1.8).

1203.4 All provisions of §411 shall also apply to roof structures in the Capitol Interest District. The gross floor area of roof structures permitted under this subsection shall not be counted in determining the amount of off-street parking as required elsewhere in this title.